



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re the Application of: **Fumio DENDA**

Group Art Unit: **2644**

Serial No.: **09/159,104**

Examiner: **Brian T. Pendelton**

Filed: **September 23, 1998**

Confirmation No.: **4736**

For: **AUDITORY SENSE TRAINING METHOD AND SOUND PROCESSING
METHOD FOR AUDITORY SENSE TRAINING**

Attorney Docket Number: **981091**

Customer Number: **38834**

NOTICE OF APPEAL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Date: February 24, 2005

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated **August 24, 2004** of the Primary Examiner.

The item(s) checked below are appropriate:

☒ [XX] A petition for a three month extension of time to respond to the Final Rejection is filed herewith.

☒ [XX] A timely response to the Final Rejection has been filed on November 18, 2004, as provided in 37 C.F.R. 1.113.

☐ [] Fee -\$500.00 or ☒ [XX] Small Entity \$ 250.00

☒ [XX] Enclosed

☐ [] Not required (fee paid in prior appeal)

☐ [] Charge to Deposit Account No. 50-2866

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Notice of Appeal
Serial No. 09/159,104
Attorney Docket No. 981091

If this Notice of Appeal is not considered to be timely filed, Applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees that may be required with respect to this Notice.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" being the most prominent.

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